

C. REMARKS

Applicants respectfully request reconsideration of the outstanding rejections and reexamination of the present application in light of the following amendments and remarks.

Status of the Claims

Claims 1-18 are currently pending. Claim 1 is currently amended to overcome the objection under 35 USC 112. Claim 16 is amended to correct a typographical error.

Applicants amend claim 1. Applicants are not conceding in this application that this claim is not patentable as originally presented, as the present claim amendments and cancellations are only for facilitating expeditious prosecution of the allowable subject matter noted by the Examiner. Applicants respectfully reserve the right to pursue these and other claims in one or more continuations and/or divisional patent applications.

Rejection under 35 USC 112 Overcome

The Office Action rejects claims 1-5. under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. [Office Action, p. 2] In particular, the Office Action states that "the following language is vague and indefinite: in claim 1, line 9, "...such that a number of threads in a thread pool may be dynamically adjusted..", the term "may be" renders the claim indefinite because it is unclear whether the thread pool would be adjusted. The applicant is suggested to replace "may be" with other more definite verbs (e.g. is)." [Office Action, p. 2] Regardless of whether the rejection is correct, Applicants amend claim 1 to delete "may be" and insert --is-- in claim 1, line 9 as suggested by the Examiner to overcome the rejection under 35 USC 112. In view of the amendment to claim 1 to teach language which is clear and definite, Applicants respectfully request withdrawal of the rejection under 35 USC 112 as to claim 1 and as to claims 2-5, which are dependent upon claim 1.

Only Allowable Subject Matter Pending

The Office Action allows claims 6-18 over the prior art of record. [Office Action, p. 2] In view of the amendment to claim 1 to overcome the rejection of claims 1-5 under 35 USC 112, Applicants respectfully assert that only allowable subject matter remains pending in the application and Applicants respectfully request allowance of the application and issuance of a timely notice of allowance.

Conclusion

In view of the foregoing, withdrawal of the rejections and the allowance of the current pending claims is respectfully requested. If the Examiner feels that the pending claims could be allowed with minor changes, the Examiner is invited to telephone the undersigned to discuss an Examiner's Amendment.

No extension of time is believed to be necessary. If, however, an extension of time is required, the undersigned hereby authorizes the Commissioner to charge any fees for this extension to IBM Corporation Deposit Account No. 09-0447.

Respectfully submitted,

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